

# **Draft Environmental Assessment**

## **Proposed Fishing Access Site Lease at Little Muddy Creek on the Missouri River**

July 6, 2007



***Montana Fish,  
Wildlife & Parks***

**Proposed Fishing Access Site Lease on the Missouri River  
Draft Environmental Assessment  
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

**PART I. PROPOSED ACTION DESCRIPTION**

**1. Type of Proposed Action:**

Development	_____
Renovation	_____
Maintenance	_____
Land Acquisition	<u>X (Lease)</u>
Equipment Acquisition	_____
Other (Describe)	_____

- 2. Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605 MCA, which directs Montana Fish, Wildlife & Parks (FWP) to acquire, develop, and operate a system of fishing accesses. The legislature established a funding account to ensure that this function would be accomplished. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. See Appendix 1 for HB 495 qualification.

**2. Name of Project:**

Proposed Fishing Access Site Lease at Little Muddy Creek on the Missouri River  
EA

**3. Name, Address, and Phone Number of Project Sponsor:**

Allan Kuser	Roger Semler
Fishing Access Site Coordinator	Regional Parks Manager
Montana FWP, HQ	Montana FWP, Region 4
PO Box 200701	4600 Giant Springs Road
Helena, MT 59620	Great Falls, MT 59405
406-444-7885	406-454-5859

**4. If Applicable:**

Estimated Construction/Commencement Date: NA

Estimated Completion Date: NA

Current Status of Project Design (percentage complete): NA

**5. Location Affected by Proposed Action (county, range, and township)**

The proposed Fishing Access Site (FAS) is located on the Missouri River 6 miles north of Cascade, MT and 8 miles south of Ulm, MT on Old US Highway 91. It is located on the left hand side as you float downstream, Township 18 North, Range 1 East, SE ¼ Section 4. The proposed property to be leased equals 22 acres.

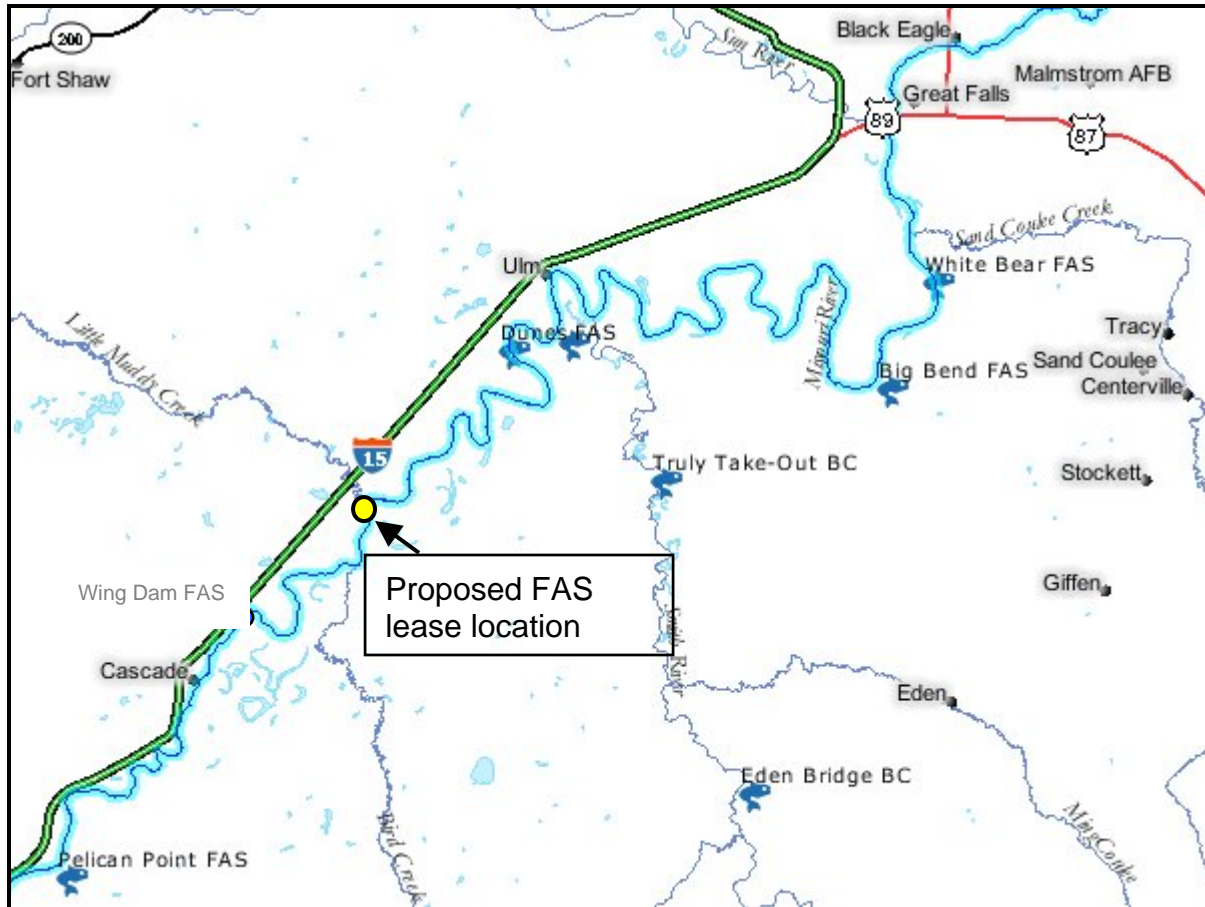


Figure 1: Yellow circle delineates location of the proposed FAS.

**6. Project Size: Estimate the number of acres that would be directly affected that are currently:**

- |     |                                  |     |   |
|-----|----------------------------------|-----|---|
| (a) | Developed:                       | (d) | Floodplain..... <u>22</u> acres         |
|     | Residential ..... <u>0</u> acres |     |   |
|     | Industrial ..... <u>0</u> acres  | (e) | Productive:                             |
| (b) | Open Space/Woodlands/            |     | irrigated cropland ..... <u>0</u> acres |
|     | Recreation..... <u>22</u> acres  |     | dry cropland ..... <u>0</u> acres       |
|     |                                  |     | forestry ..... <u>0</u> acres           |
| (c) | Wetlands/Riparian                |     | rangeland ..... <u>0</u> acres          |
|     | Areas..... <u>22</u> acres       |     | other ..... <u>0</u> acres              |

7. Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

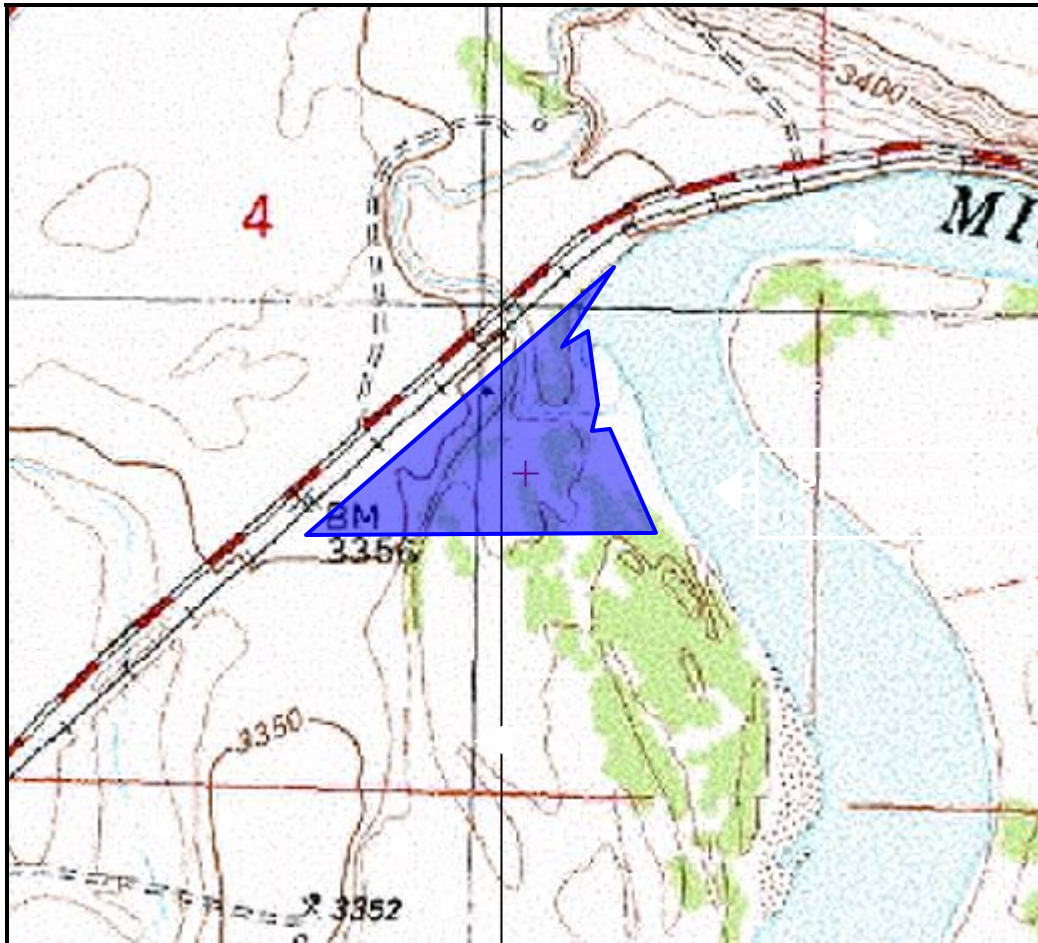


Figure 2: Topographic map depicting location of the property to be leased by Montana Fish Wildlife & Parks (FWP) and utilized as a FAS. Blue polygon (22 acres) delineates approximate boundary of property. The base photo source is from Montana Natural Resources Information Service Topofinder.



Figure 3: Aerial photograph depicting location of FWP proposed leased property. Blue polygon (22 acres) delineates approximate property boundary. The base photo source is from Montana Natural Resources Information Service Topofinder.



**8. Listing of any other Local, State, or Federal agency that has overlapping or additional jurisdiction.**

- (a) Permits:  

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
- (b) Funding:  

<u>Agency Name</u>	<u>Lease Amount</u>
FWP FAS Acquisition Fund	\$6,042.60 per year
- (c) Other Overlapping or Additional Jurisdictional Responsibilities:  

<u>Agency Name</u>	<u>Type of Responsibility</u>
Department of Natural Resources and Conservation (DNRC)	Lease School Trust Land to FWP for the creation of a public fishing access site

**9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action.**

**Property Description and Background**

The proposed property is located approximately eight river miles downstream (North) of Cascade on the Missouri River at river mile 2157. The closest FWP FAS upstream is Wing Dam FAS (approximately six river miles), and downstream is Dunes FAS (approximately 10 river miles). The closest boat ramps are at the town of Cascade boat launch located 7.7 river miles upstream, and Ulm Bridge FAS boat launch located 13.2 river miles downstream.



Picture 1. Cottonwood forest at proposed FAS

The property is 22 acres of riparian grassland and mature cottonwood forest adjacent to the Missouri River at the Little Muddy Creek /Missouri River confluence (Pictures 1, 2 and 7). The access road to the property has a private crossing over BNSF railroad tracks (Pictures 3 and 4). The railroad tracks have not been used for several years due to damaged tracks near Ulm, MT. The property is owned by DNRC as School Trust Land and has been leased as a home site since 1974. There is a foundation, cistern, septic tank, and partial fencing located on the property from the previous lessee (Picture 5). There is currently no boundary fence between this property and the adjoining landowner to the south. The property has been over-grazed for several years and as a result, there is a high infestation of weeds (Picture 6).

This parcel would provide numerous public recreational opportunities including: wildlife viewing, hunting, fishing, bird watching, hiking, and carry-in boating. The parcel has very

good riparian habitat. There are mature cottonwood stands, willows along the riverbank, and numerous grass, forb, and shrub species throughout the property. Pheasant, white-tailed deer, and numerous waterfowl species have been observed on this parcel. The site is located on a shallow bend in the Missouri River. Opportunities exist to launch a canoe or small boat from the shallow sand bars (Picture 7). In 2003, an angler survey identified this section of the Missouri River from Morony Dam to Pelican Point FAS (river mile 2099.5-2177.6) as the 31<sup>st</sup> most fished body of water in Montana. The regional rank was five and there were 20,368 days fished and 459 trips on this section. Public access is very limited in this reach of river and it is possible that by increasing public access, angling pressure could also increase in the future. Fish species in this section of the Missouri River include brown trout, bullhead, burbot, carp, longnose suckers, mountain whitefish, pumpkin seeds, rainbow trout, stonecat, walleye, white suckers, and yellow perch.



Picture 2. Little Muddy Creek and Missouri River confluence at the proposed FAS



Picture 3. Private Railroad Crossing for access to the proposed FAS



Picture 4. Access road to home site at the proposed FAS





Picture 5. Foundation from previous lessee at proposed FAS



Picture 6. Overgrazed grassland at proposed FAS



Picture 7. Shallow water and sandbars at the proposed FAS on the Missouri River

### **Proposed Action, Purpose, and Benefits of the Action**

Montana Fish, Wildlife & Parks proposes a 10-year lease on the property from DNRC using the FWP Fishing Access Acquisition account, for eventual development of a FAS on the Missouri River (10-year lease). This property has been previously leased as a home site since 1974. In May of 2006, DNRC released a checklist EA discussing the potential change of use from a home/cabin site to a public recreation area and received 21 responses. There was overwhelming public support for conversion of this property to a Montana Fish, Wildlife & Parks FAS.

This property on the Missouri River would provide many opportunities for recreationists, including fishing, hunting, bird watching, hiking, and boating. The site shall be managed for day use activities only, with no overnight camping. The site shall be closed to the discharge of all firearms and weapons, except for lawful hunting during lawful hours (one-half hour before sunrise and one-half hour after sunset). This property would also provide a good halfway point for floaters from the Town of Cascade boat launch to the Ulm Bridge FAS boat launch.

FWP intends to develop the site in the future with standard public facilities such as access road, parking, and latrine. Until development occurs, the site will not be managed for public access or use.

### **The Land Lease Transaction**

Montana Fish, Wildlife & Parks proposes to lease 22 acres of DNRC school trust land at a rate no less than DNRC would generate to lease this property as a home site (\$6,042.60 per year). In addition to the lease,

1. FWP would install and maintain a fence along the south property line,
2. Once the site is developed with standard public facilities, FWP would manage the site for day use only with no overnight camping,
3. FWP would not allow grazing on the property, except associated with weed management,
4. FWP would manage weeds, and
5. FWP would need DNRC approval and would publish an Environmental Assessment prior to developing the site with standard public facilities.
6. FWP will seek a public railroad-crossing permit from BNSF Railroad.

### **Future Development of the Site**

This EA addresses only the lease of the proposed property to be used as a FAS and does not evaluate any development on the property. A separate EA would be prepared and made available for public comment in advance of any site development plans. However, it is prudent to discuss long-term plans for the property within this document.

FWP intends future development of the site as a FAS with standard facilities. Initial development would include site protection measures such as fencing, motorized vehicle barriers, and signage. There would be primitive carry-in access for boats/canoes only.

Further development would include an improved access road, a latrine, and a parking area, and would likely be located on the bench near the road. A foot trail may also be constructed from the parking area to the riverbank. FWP would also have to determine what to do with the existing improvements (house foundation, cistern, septic tank, and partial fencing) on the property.

FWP would contract with the Cascade County Weed department and/or a private weed control contractor to implement weed control measures. Weeds would be aggressively managed for several years until existing weed infestation is brought under control.

FWP would assume responsibility for routine maintenance of the site including sign installation and maintenance; road maintenance; toilet maintenance; litter and refuse pick up; mowing and brushing; fence maintenance; and general site upkeep. The developed FAS would initially be managed for day use only with no overnight camping.

## **PART II. ENVIRONMENTAL REVIEW**

- 1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a comparison of the alternatives with the proposed action/preferred alternative:**

### **Alternative A: No Action**

Do not lease the 22 acres of property on the Missouri River for eventual development into a FAS. The property would remain DNRC School Trust property to be utilized as public land or leased as a home site. Public access to the Missouri River at this location would be unclear as a result of the no action alternative.

### **Alternative B: FWP Leases Land (preferred alternative)**

FWP would lease the 22-acre property on the Missouri River from DNRC for \$6,042.60 per year (10-year lease). In addition to the lease,

- 1 FWP would install and maintain a fence along the south property line,
- 2 Once the site is developed with standard public facilities, FWP would manage the site for day use only with no overnight camping,
- 3 FWP would not allow grazing on the property, except associated with weed management,
- 4 FWP would manage weeds, and
- 5 FWP would need DNRC approval and would publish an Environmental Assessment prior to developing the site with standard public facilities.
- 6 FWP will seek a public railroad-crossing permit from BNSF Railroad.

This property on the Missouri River would provide many opportunities for recreationists, including fishing, hunting, bird watching, hiking, and boating. This property would also provide a good halfway point for floaters from the Town of Cascade boat launch to the Ulm Bridge FAS boat launch.

- 2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

Establishing a FWP FAS and promoting public use could cause some conflict with adjacent landowners. Montana Fish Wildlife & Parks would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126.) to have “no impact upon adjoining private and public lands by preventing impact on those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, streambank erosion and loss of privacy.”

### **PART III. NARRATIVE EVALUATION AND COMMENT**

This analysis did not reveal any significant impacts to the physical and human environment. The proposed project consists only of FWP leasing the proposed Muddy Creek Property from DNRC. With the exception of installing a fence, no additional construction or improvements of any kind are included in this proposal.

The proposed project would minimally impact the physical environment. Montana Natural Heritage Program (MNHP) did not locate any plant or animal species of concern within one mile of the proposed FAS. The proposed lease would require that FWP install and maintain a fence along the south property border, not allow grazing (unless needed for weed control), and manage noxious weeds. This should be a benefit to the diversity, abundance, and productivity of plant species on the property. Management by FWP would ensure that public use of the proposed FAS would be managed in accordance with regulations that protect public safety, recreational resources, habitat, and wildlife populations while providing public access.

The proposed project would minimally affect the human environment. An increase in existing noise levels would occur with public use of the FAS, due to vehicle traffic, recreationists, and hunting activities at the FAS. Once developed, the FAS would initially be managed for day use only, with no overnight camping. In the future, if funding for operations, maintenance, and personal services allow, the site may be developed for overnight camping. This would also require approval of standard FAS camping fees through the FWP State Parks System Biennial Fee Rule.

FWP would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126) to have “no impact upon adjoining private and public lands by preventing impact on those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, streambank erosion and loss of privacy.” The proposed project would increase traffic in the area, which may result in increased traffic hazards. The proposed FAS would increase the quality and quantity of recreational use of the Missouri River.



## **PART IV. PUBLIC PARTICIPATION**

1. **Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public will be notified in the following ways to comment on the EA for the Proposed Fishing Access Site Lease on the Missouri River

1. Legal notices will be published in the *Great Falls Tribune*, the *Cascade Long Valley Advocate*, and the *Helena Independent Record*.
2. Legal notice and the draft EA will be posted on the Montana Fish, Wildlife, & Parks web page: <http://fwp.mt.gov/publicnotices>
3. Direct notice will be given to adjacent landowners.
4. Draft EA's will be available at the Region 4 headquarters in Great Falls and the State headquarters in Helena.

This level of public involvement is appropriate for a project of this scale.

2. **Duration of comment period, if any.**

Public comments must be received by 5:00 pm on Monday, August 6, 2007. Comments may be emailed to [rsemler@mt.gov](mailto:rsemler@mt.gov), or written comments may be sent to the following address:

Little Muddy Creek FAS EA  
c/o Roger Semler  
Regional Parks Manager  
Montana FWP, Region 4  
4600 Giant Springs Road  
Great Falls, MT 59405  
406-454-5859

## **PART V. EA PREPARATION**

1. **Based on the significance criteria evaluated in this EA, is an EIS required?**  
**NO**

**If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis.

2. **Name, title, address and phone number of the person(s) responsible for preparing the EA:**

Allan Kuser  
FWP FAS Coordinator  
1420 East Sixth Ave  
Helena, MT 59601  
(406) 444-7885

Roger Semler  
FWP Regional Parks Manager  
4600 Giant Springs Road  
Great Falls, MT 59405  
(406) 751-4550

Sally Schrank  
Independent Contractor  
1416 Winne Ave  
Helena, MT 59601  
(406) 443-3585

3. **List of agencies consulted during preparation of the EA:**

Montana Fish, Wildlife & Parks  
Parks Division, Region 4  
Wildlife Division, Region 4  
Fisheries Division, Region 4  
Lands Section

Montana Natural Heritage Program—Natural Resources Information System  
PO Box 201800  
1515 East Sixth Avenue  
Helena, MT 59620-1800

## **PART VI. MEPA CHECKLIST**

**Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

### **A. PHYSICAL ENVIRONMENT**

1. LAND RESOURCES  Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 1a. The proposed action involves only a leasing of property and does not include development or physical alteration of the property of any kind.

## PHYSICAL ENVIRONMENT

2. AIR  Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		NA				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

- 2a. The proposed action involves only a leasing of property and does not include development or physical alteration of the property of any kind.

## PHYSICAL ENVIRONMENT

3. <u>WATER</u>  Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		NA				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		NA				
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

3a. The proposed action involves only a leasing of property and does not include development or physical alteration of the property of any kind.



## PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u>  Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?				X		4a.
b. Alteration of a plant community?		X				See 4a.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?				X		See 4a.
f. For <u>P-R/D-J</u> , will the project affect wetlands, or prime and unique farmland?		NA				
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4a. Currently there is no fence between the DNRC property and the neighbor to the south and there has been no weed management on the property. Consequently, the property has been over-grazed and there is a high infestation of weeds. The lease agreement with DNRC would require that FWP install and maintain a fence along the southern boundary line, not allow grazing (unless needed for weed control), and manage noxious weeds. FWP would contract with Cascade County Weed Department and/or a private weed control service to implement weed control measures. Weeds would be aggressively managed to bring the weed infestation under control. The plant community would change without grazing at the site and with weed management. This should be a benefit to the diversity, abundance, and productivity of plant species on the property.

4c. The Montana Natural Heritage Program (MNHP) did not locate any unique, rare, threatened, or endangered plant species on the DNRC property (written communication dated March 5, 2007).

## PHYSICAL ENVIRONMENT

5. FISH/WILDLIFE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X			5b.
c. Changes in the diversity or abundance of nongame species?			X			See 5b.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		NA				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		NA				
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 5b. DNRC does not actively manage fish and wildlife at the property. Management by FWP would ensure that public use of the proposed FAS would be managed in accordance with regulations that protect habitat and wildlife populations while providing public recreational opportunities. Therefore, it is reasonable to expect that habitat and the diversity of game and non-game animals would improve because of this action.
- 5f. The Montana Natural Heritage Program found no animal species of concern on the DNRC Property (March 7, 2007). The site has the potential use by transient bald eagles, however; FWP has no records of such observations.

**B. HUMAN ENVIRONMENT**

6. NOISE/ELECTRICAL EFFECTS  Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 6a. Once the site is developed, an increase in existing noise levels would occur with public use of the FAS, due to vehicle traffic, recreationists, and hunting activities at the FAS. Following development, the FAS would initially be managed for day use only with no overnight camping. FWP would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126.) to have “no impact upon adjoining private and public lands by preventing impact to those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, streambank erosion and loss of privacy.”

## HUMAN ENVIRONMENT

7. LAND USE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?			X			See 7a.
e. Other: _____		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 7a. The proposed action involves leasing a property and does not involve construction or development of any kind; however, the lease agreement would allow public access to the property. Following development, the FAS would initially be managed for day use only with no overnight camping. FWP would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126.).

## HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. <del>For P-R/D-I</del> , will any chemical toxicants be used? (Also see 8a)		NA				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 8a. The FWP Region 4 Weed Management Plan calls for an integrated method of managing weeds, including the use of herbicides. The use of herbicides would comply with Montana Department of Agriculture application guidelines and conducted by licensed applicators trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.



## HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u>  Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X	X			9c.
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X			9e.
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 9c. The proposed action involves a leasing of property and does not involve construction or development of any kind; however, the lease agreement would allow public access to the property. Following development, the FAS would initially be managed for day use only with no overnight camping. FWP would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126).
- 9e. Allowing public access to the property would increase traffic in the area. This increase may result in increased traffic hazards.

## HUMAN ENVIRONMENT

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: _____		X				10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources						10e.
f. Define projected maintenance costs.						10f
g. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 10a. There will be maintenance responsibilities associated with the proposed project, but FWP will assume all responsibility and integrate maintenance of this site in its existing FAS maintenance schedule.
- 10e. The proposed project would not generate revenue.
- 10f. For the first three years of leasing, there will be above normal weed control costs, due to the substantial amount of weeds present on-site and in adjacent lands. It would require approximately 0.10 FTE in personal services and cost approximately \$3,000 per year for FWP to operate and maintain the site.

## HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			X			11c.
d. <del>For P-R/D-L</del> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		NA				
e. Other:		NA				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 11c. The proposed FAS will increase the quality and quantity of recreational use on the Missouri River. The addition of another FAS on the Missouri River would be a benefit to anglers, hunters, and recreationists throughout the year. The proposed FAS could be used as a halfway point for floaters who launch their craft at the town of Cascade boat launch and float to Ulm Bridge FAS. The riverbank has the potential for use by waterfowl hunters and anglers. The site shall be closed to the discharge of all firearms and weapons, except for lawful hunting during lawful hours (one-half hour before sunrise and one-half hour after sunset).

## HUMAN ENVIRONMENT

12. CULTURAL/HISTORICAL RESOURCES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?	X					12a.
b. Physical change that would affect unique cultural values?	X					See 12a.
c. Effects on existing religious or sacred uses of a site or area?	X					See 12a.
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? <b>Attach SHPO letter of clearance.</b> (Also see 12.a)		NA				12d.
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12a. This EA pertains to the lease acquisition only. Prior to any site development, FWP shall identify any cultural sites that are located on department lands within the area affected by a proposed project and shall consult with the SHPO regarding how to address any impacts the project would have on the cultural site.

12d. The leasing of property is not a project or undertaking as defined by FWP cultural resource policy enacted under the State Antiquities Act.

## HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		NA				
g. For P-R/D-J, list any federal or state permits required.		NA				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):



## APPENDIX 1

### 23-1-110 MCA EXEMPTION FORM Proposed Muddy Creek FAS Lease

Use this form when a park improvement or development project meets the criteria identified in 12.8.602 (1) ARM, but determined to NOT significantly change park features or use patterns.

#### State Park or Fishing Access Site Project Description

Montana Fish, Wildlife & Parks (FWP) proposes to lease DNRC Property (22 acres) using funds from the Fishing Access Acquisition Fund, for the purpose of creating an additional Fishing Access Site (FAS) on the Missouri River.

The project does not significantly change park or fishing access site features or use patterns.

Reason for exemption is provided across from the appropriate item below.

<b>12.8.602 (ARM) (1)</b>	<b>Reason for Exemption</b>
(a) Roads/trails	No new roads/trails
(b) Buildings	No new buildings
(c) Excavation	None
(d) Parking	No new parking
(e) Shoreline alterations	None
(f) construction into water bodies	None
(g) construction w/impacts on cultural artifacts	None
(h) Underground utilities	No new utilities
(i) Campground expansion	None-day use only

Some activities considered that do not significantly impact site features or use patterns include signing, fencing, barriers, road grading, garbage collection, and routine maintenance.

Signature      (Sally Schrank)      Date      March 4, 2007